UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1 – NEW ENGLAND

IN THE MATTER OF Richardson's Farms Inc. (dba Richardson's Ice Cream) 156 South Main Street Middleton, MA 01949 Proceeding under Sections 113 of the Clean Air Act	**NOTICE OF VIOLATION AND ADMINISTRATIVE ORDER**

INTRODUCTION

1. The United States Environmental Protection Agency Region 1 ("EPA") issues this Notice of Violation and Administrative Order ("NOV/AO") to Richardson's Farms, Inc., doing business as Richardson's Ice Cream ("Respondent") for Respondent's failure to comply with Section 112(r)(1) of the Clean Air Act ("CAA"), 42 U.S.C. § 7412(r)(1), in the handling of anhydrous ammonia at the company's Middleton, Massachusetts, facility where it runs a farm, makes dairy products for commercial distribution, and operates an ice cream store.

2. The AO is issued under the authority of Section 113 of the CAA, 42 U.S.C. § 7413. Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3), provides that EPA may issue an order requiring compliance with the requirements or prohibitions of Subchapter I of the Act (which include, among other things, the requirements of Section 112(r), 42 U.S.C. § 7412(r)).

STATUTORY AND REGULATORY AUTHORITY

3. Pursuant to Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), owners and operators of stationary sources producing, processing, handling, or storing substances listed pursuant to Section 112(r)(3) of the CAA, 42 U.S.C. § 7412(r)(3), or any other extremely hazardous substance, have a general duty, in the same manner and to the same extent as 29 U.S.C. § 654, to (a) identify hazards which may result from accidental releases of such substances using appropriate hazard assessment techniques; (b) design and maintain a safe facility taking such steps as are necessary to prevent releases; and (c) minimize the consequences of accidental releases that do occur. This section of the CAA is referred to as the "General Duty Clause."

4. The extremely hazardous substances listed pursuant to Section 112(r)(3) include, among others, anhydrous ammonia.

5. The term "accidental release" is defined by Section 112(r)(2)(A) of the CAA, 42 U.S.C. § 7412(r)(2)(A), as an unanticipated emission of a regulated substance or other extremely hazardous substance into the ambient air from a stationary source.

6. Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3), authorizes EPA to issue compliance orders for violations of the Act, including violations of Section 112(r), 42 U.S.C. § 7412(r). A copy of the order must be sent to the relevant State air pollution control agency. An order relating to a violation of Section 112 of the CAA can take effect immediately upon issuance.

GENERAL ALLEGATIONS

7. Respondent owns and operates a facility located at 156 South Main Street in Middleton, Massachusetts, where it runs a farm, makes dairy products for commercial distribution, and operates an ice cream store (the "Facility").

8 The Facility is located near a heavily trafficked road, an elementary school, a golfing facility, and several businesses (including a propane distributor located on the same property). Also, the Facility's ice-cream store and petting zoo is open to the public.

9. Respondent is a corporation registered to do business in Massachusetts and is thus a "person" within the meaning of Section 302(e), against whom an Administrative Order may be issued under Section 113(a)(3) of the Act, 42 U.S.C. § 7413(a)(3).

10. Respondent operates a "stationary source" as that term is defined at Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C).

11. The Facility has a refrigeration system, which cycles approximately 6,000 pounds of anhydrous ammonia through various physical states to cool and freeze Respondents' dairy products. Additionally, Respondent stores 1,000 pounds of anhydrous ammonia outside in cylinders. Accordingly, Respondent "stores" and "handles" anhydrous ammonia which, as indicated in paragraph 4 above, is an "extremely hazardous substance" subject to the General Duty Clause.

12. Anhydrous ammonia is a clear, colorless gas with a strong odor. It is often stored and shipped under pressure as a liquid. It presents a significant health hazard because it is corrosive to the skin, eyes, and lungs. Ammonia vapors may be fatal if

inhaled. Exposure to 300 parts per million is immediately dangerous to life and health. Ammonia gas is generally regarded as nonflammable but does burn at concentrations of approximately 15.5% to 27% by volume in air with strong ignition. It can explode if released in an enclosed space with a source of ignition present or if a vessel containing anhydrous ammonia is exposed to fire. The fire hazard increases in the presence of oil or other combustible materials.

13. Due to the dangers associated with anhydrous ammonia, the ammonia refrigeration industry has developed industry standards to control the risks associated with the use of ammonia. In collaboration with the American National Standards Institute, the International Institute of Ammonia Refrigeration ("IIAR") has issued (and updates) "Standard 2: Equipment, Design, and Installation of Closed-Circuit Ammonia Mechanical Refrigerating Systems," along with other applicable standards and guidance. For example, to provide streamlined guidance to facilities like Respondent's that have less than 10,000 pounds of ammonia, in 2005 IIAR published the "Ammonia Refrigeration Management Program" (2005). Also in collaboration with the American National Standards Institute, the American Society of Heating, Refrigerating and Air-Conditioning Engineers has issued (and updates) "Standard 15: Safety Standard for Refrigeration Systems." These standards are consistently relied upon by refrigeration experts and are sometimes incorporated into state building and mechanical codes, including Massachusetts' codes.

13. On May 6, 2014, a duly authorized EPA inspector and two EPA grantees (collectively the "EPA Inspectors") visited the Facility to determine whether Respondent was complying with Section 112(r) of the CAA and the Emergency and Community

Right-to-Know Act. They interviewed the company's president and real estate manager and took a walking tour of the Facility's main building, which houses office space, the store, a machinery room where some of the refrigeration system machinery is located ("Machinery Room"), a Raw Milk Room, freezer, truck loading bays, and an exterior refrigeration machinery area on the east side of the building.

14. The EPA inspectors observed that Respondent's ammonia refrigeration system ("System") had several components, some of which are described below:

a. ***Evaporators:*** These are the units in which the ammonia is allowed to evaporate (at a low -28° F boiling point), drawing and absorbing the heat from a room as the ammonia evaporates, thereby cooling the room. Respondent's Facility had evaporators in the Raw Milk Room and Freezer Room, among other places.

b. ***Compressors:*** After being allowed to evaporate, ammonia gas flows at low pressure to a compressor where it is pressurized into a liquid. This compression process also raises the temperature of the gas. Oil is used in the compressors to help seal them and lubricate the compressor's parts, and used oil must be regularly removed from the compressors. Respondent's Facility has at least seven compressors located inside the Machinery Room.

c. ***Condenser:*** Heated vapor at high pressure flows from a compressor to the condenser, where refrigerant vapor flows through the condenser's heat exchanger. The heat exchanger cools the vapor and condenses it into a liquid. From here, the liquid typically flows at high pressure into a receiver, where it is stored. EPA Inspectors observed a condenser on the roof of the Facility.

d. ***Receivers:*** These are tanks that have the function of (a) collecting ammonia after the condensing stage, (b) storing most of the ammonia in a typical refrigeration system, and (c) sending the ammonia out to the evaporators. Due to their capacity to release large amounts of ammonia if breached, it is important to maintain the integrity of the receivers and associated valves. Respondent's System had at least two receivers located outside the building.

e. ***Pumps and valves***: The System has multiple pumps and valves to move and the control the flow of ammonia through the System. Receivers have "king valves" that can be used to stop the flow of ammonia from the

receivers to the rest of the System during an emergency. Closing the king valve will essentially turn off an ammonia system, thus shortening the duration of any continuing ammonia releases. Often solenoid valves near these king valves can be activated by emergency switches outside the building so that emergency responders do not have to enter a building filled with ammonia vapors to turn off a system.

f. ***Piping:*** Pipes throughout the Facility and on the roof carry ammonia in all its various physical states.

g. ***Ammonia detectors:*** These devices, typically placed in machinery rooms, detect ammonia vapors that have been released at certain concentrations. They typically also activate alarms to warn employees and emergency responders of a release. It is essential for detectors to be properly placed, maintained, calibrated, and connected to alarms so that they can fulfill their function. Respondent's Facility had one detector in the Machinery Room.

h. ***Emergency controls:*** An emergency control box, typically placed outside the designated Machinery Room door, allows emergency responders to control releases by actuating key refrigeration system equipment, such as compressors and the king valves. There should be a remote emergency switch for ventilation as well. The Facility has an emergency control box outside the main Machinery Room door.

14. During the Inspection, EPA Inspectors observed some potentially dangerous conditions relating to the System, including the following:

a. ***No facility personnel understood or maintained the System***: No one on staff is trained to understand, operate, or maintain the System, and the two contractors hired to manage the System do not appear to have a routine schedule for maintenance activities, evidenced by, among other things, rusting pipes, broken vapor barriers, lack of standard operating procedures, lack of maintenance documentation on site, old rusted valves, and lack of oil collection. EPA Inspectors did receive documentation of one refrigeration system safety check that occurred in April of 2013.

b. ***Inadequate information available about System***: Inadequate documentation was available about the technology and equipment of the ammonia refrigeration system. For example, there was no Process and Instrumentation Diagram or floor plan that would allow Facility personnel, inspectors, or emergency responders to identify the location of key System equipment, piping, and valves).

c. ***Rusting/corroding pipes and valves:*** There were rusting and corroding pipes and valves in many locations, creating a risk that the valves and pipes could further deteriorate and break, releasing ammonia. Some of these rusting and corroding pipes and valves were located outdoors and on the roof where there would no building enclosure to contain a release;

d. ***Breached vapor barriers, increasing potential for corrosion***: EPA Inspectors observed breached vapor barriers on many pipes and equipment that could lead to corrosion, breakage, and an ammonia release. Some of these breached barriers were on outdoor pipes and equipment. In at least one instance, the EPA Inspectors observed that excessive frost buildup on an outdoor tank had caused (or was made worse by) breakage of the vapor barriers;

e. ***Unlabeled equipment, valves, and piping***: EPA Inspectors observed unlabeled ammonia equipment, valves, and piping throughout the entire Facility, impeding the ability of Facility personnel, contractors, inspectors, and emergency responders to identify which components contained ammonia, and which valves performed what functions. For example, king

valves on two outdoor receivers were not labeled. Pressure relief valves and piping on the roof were not labeled, and inside the Machinery Room several reciprocating compressors were not clearly labeled.

f. ***Inadequate emergency shutdown controls***: The emergency shutdown controls adjacent to the Machinery Room door had inadequate labeling, making it difficult for the inspectors to identify which switches could turn off which equipment during an ammonia release. Nor did Facility personnel know which equipment the emergency shutdown switches controlled. Also, the control labeled "Liquid On/Off" requires a key, but Facility representatives did not know where the key was. The lack of appropriate emergency shut-offs creates a risk of harm to workers and emergency responders, who cannot quickly shut down or properly ventilate machinery room without entering machinery room, which room could have dangerous levels of vapors. The delay could also contribute to a longer ammonia release time, exacerbating risks to workers, emergency responders, and people off-site.

g. ***Machinery Room is not structurally sound:*** The EPA inspectors observed birds nesting in holes in the Machinery Room exterior wall, raising questions about the room's structural integrity.

h. ***Cylinders of ammonia dangerously stored outside*:** Five cylinders of anhydrous ammonia, each containing 200 pounds, were stored inside a fenced area surrounding the outdoors ammonia equipment and against a fence that was not designed to support this type of weight. They were

inadequately secured to the fence using a chain placed too high on the bodies of the cylinders.

i. ***High pressure receiver had bypass***: EPA inspectors noted that there was a bypass around the king valve on the high pressure receiver in the outdoor ammonia machinery area, creating the need to use a secondary valve to cut off the flow of ammonia. Neither the primary nor secondary valve was labeled. Moreover, the emergency control switch would only shut down the main king valve, not the secondary valve on the bypass pipe, compromising the ability to actually turn off the whole System from the emergency control box.

j. ***Inadequate emergency ventilation system in machinery room***: The EPA Inspectors observed no inlet for outside air to enter the Machinery Room other than through an open vent pipe through the roof, which would not provide an air sweep of the room. There are two exhaust fans in the Machinery Room, but air flow to one fan is blocked by a wall, and one fan improperly exhausts indoors into a truck loading bay. Also, the two exhaust fans appeared to be regular heat exhaust fans without an emergency high-power setting to vent ammonia exhaust from a leak. Without adequate ventilation, vapors are more likely to build up to levels that are hazardous to human health or that risk causing fire or explosion.

k. ***Lack of adequate ammonia vapor detection equipment:*** The sole ammonia detector in the machinery room is located on the ceiling, approximately 10 feet above reciprocating compressor (RC) C-3. The

latest industry standard is to have two ammonia detectors in a machinery room. This machinery room is not a single room but rather a maze of adjacent former smaller rooms that have had walls partially removed to accommodate expansion of the system. The ceilings in the various portions of the machinery room are of different heights and materials, and the remaining portions of these former walls can serve as barriers to air movement, suggesting that a single ammonia detector may not be sufficient to detect the presence of ammonia in another part of the machinery room. The ammonia detector was not connected to the ventilation fans or to an audio-visual alarm to activate them in the event of a leak.

l. ***No warning signs and alarms on/near Machinery Room door***: The Machinery Room door had inadequate labeling to warn people of the hazards of entering into a room with ammonia-containing machinery. Nor were there audio/visual alarms near the main door to warn people about any ammonia leaks inside the Machinery Room. The main door leading from the Machinery Room to the outdoors was not labeled with an exit sign. Also, there were doors from the machinery room to other parts of the building, such as the basement, truck bay, and Raw Milk Room, which were not labeled or alarmed.

m. ***Presence of potential ignition sources and combustible materials in machinery room:*** Ammonia vapors are flammable at certain concentrations, which means that machinery rooms with ammonia-

containing equipment need to be kept as free as possible of combustible materials to reduce the risk of a fire or explosion. The EPA inspectors observed that the machinery room was cluttered with miscellaneous combustible materials (such as cardboard boxes, clothes, and drums of used oil). There were multiple containers of waste oil, some open, and what appeared to be oil running into open floor drains. In one location, an electrical conduit ran through the oily liquid on the floor. Also, there were several potential ignition sources in the machinery room. The potential ignition sources included an electric water heater, an electric air compressor, an electric pump for disinfectants, and electrical breaker panels, all of which could spark and serve as a source of ignition in the event of a flammable ammonia leak.

n. ***No fire suppression system in machinery room*:** There was no fire suppression system in the machinery room, although the ceiling in part of the machinery room was constructed of wood, a combustible material. Due to the flammability of ammonia vapors at certain concentrations, it is dangerous for the machinery room to be constructed of combustible materials unless there is an adequate fire suppression system.

o. ***Lack of emergency eye wash and shower stations:*** There were no emergency eye wash and shower facilities inside or outside any exit from the Machinery Room.

p. ***Problems with pressure relief header pipes***: The EPA inspectors observed two vertical pipes on the roof, although it is unclear which pipe

was the pressure relieve valve header pipe because neither is labeled. One of the pipes is rusted. Neither is at least 15 feet above the roof surface, which increases the risk that people might be sprayed with ammonia during a release. Also, neither has an ammonia detector associated with it.

q. ***No windsocks:*** There were no windsocks at the Facility to indicate wind direction and relative wind speed in the event of an accidental release of ammonia.

r. ***No emergency response plan or coordination with fire department:*** The EPA inspectors learned that the Facility had not reported the presence and amounts of ammonia (or other chemicals) to emergency response and planning agencies as required by the Emergency Planning and Community-Right-to-Know Act. Nor did the Facility have an emergency response plan.

15. During the inspection, the EPA Inspectors learned that in March of 2014, one of Respondent's contractors had submitted a proposal to Respondent, identifying many System deficiencies and proposing to fix them. Respondent's president told the EPA Inspectors that he had given verbal approval to the contractor for the scope of work under the proposal.

16. On May 13, 2014, a week after EPA's inspection, a member of a cleaning crew called the fire department at approximately 12:45 a.m. upon smelling a strong odor coming from the back of the building. The fire department confirmed that the odor was ammonia. Ventilation fans were turned on to clear the vapors. A fire department report indicates that the cause of the release may have been malfunctioning condenser fans.

NOTICE OF VIOLATION

I. FAILURE TO IDENTIFY HAZARDS

17. The allegations in Paragraphs 1 through 16 are hereby realleged and incorporated herein by reference.

18. Pursuant to the General Duty Clause, Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), owners and operators of stationary sources producing, processing, handling or storing extremely hazardous substances have a general duty, in the same manner and to the same extent as Section 654 of Title 29, to identify hazards which may result from accidental releases of such substances. The recommended industry practice and standard of care for ammonia refrigeration systems of this size would be to identify hazards using industry checklists, a What-if analysis, or a Hazard and Operability study. See, for example, the International Institute of Ammonia Refrigeration's ("IIAR's") *Ammonia Refrigeration Management Program*, Section 10; IIAR's Bulletin No. 110, *Startup, Inspection, and Maintenance of Ammonia Mechanical Refrigeration Systems,* Section 5.2.1; EPA's *Guidance for Implementation of the General Duty Clause Clean Air Act Section 112(r)(1),* available at http://www.epa.gov/oem/docs/chem/gdcregionalguidance.pdf; and IIAR's *Process Safety Management Guidelines for Ammonia Refrigeration.*

19. As described in Paragraph 14 above, EPA inspectors observed potentially dangerous conditions at the Facility that indicated a failure to identify hazards associated with the ammonia refrigeration system. Moreover, Respondent was not able to produce any process hazard analysis while the EPA inspectors were at the Facility.

20. Accordingly, Respondent has violated the General Duty Clause's requirement to identify hazards associated with the refrigeration system using industry-recognized hazard assessment techniques, in violation of Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1).

II. FAILURE TO MINIMIZE THE CONSEQUENCES OF ACCIDENTAL RELEASES THAT DO OCCUR

21. The allegations in Paragraphs 1 through 20 are hereby realleged and incorporated herein by reference.

22. Pursuant to the General Duty Clause, Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), owners and operators of stationary sources producing, processing, handling, or storing extremely hazardous substances have a general duty to minimize the consequences of any accidental releases of anhydrous ammonia that do occur.

23. As described above in Paragraph 14(r), at the time of the Inspection, Respondent had not notified emergency responders about the amount of ammonia on site. Also, Respondent did not have an emergency response program, including an up-to-date emergency action plan that addressed release scenarios based on hazards associated with the design, location, and operation of the Facility. The recommended industry practice and standard of care for ammonia refrigeration systems of this size is to develop an up-to-date, facility-specific emergency action plan that accurately describes the facility and the potentially affected population. Such a plan should include, among other items: types of evacuation, evacuation procedures and routes, procedures for employees who remain to maintain critical operations, procedures for accounting for evacuated employees, any employee rescue and medical duties, and means for reporting emergencies. See, e.g., EPA's *Guidance for Implementation of the General Duty Clause Clean Air Act Section*

112(r)(1) at 16; Int'l Inst. of Ammonia Refrigeration, Ammonia Refrigeration Management Program § 7 (2005) [hereinafter, "IIAR ARM"]. An adequate emergency response program should also identify procedures for responding to an ammonia release, including shutting the system down, starting emergency ventilation, and coordinating with all relevant off-site emergency responders. See, e.g., id.

24. In addition, many of the allegations in Paragraph 14, including, but not limited to, those in subparagraphs k and l (lack of appropriate vapor detection systems tied to exhaust fans, audio/visual alarms, and machinery room door signage) describe deficiencies that reflect a failure to minimize the consequences of any accidental release of ammonia. Each of these shortcomings could exacerbate the negative effects of any release of ammonia that does occur at the Facility. The most recent industry standard for ammonia refrigeration systems is to have at least two refrigerant detectors in a machinery room and to have them actuate mechanical ventilation as well as visual and audible alarms both inside the Machinery Room and at each of its entrances. See, e.g., IIAR 2-2008 (2010 ed.), supra, § 13.2 (requires at least two detectors that activate alarm and mechanical ventilation). See also ASHRAE 15-2010, supra, § 8.11.2.1 (requires a detector located in area where refrigerant will congregate that activates alarm and ventilation). Also, the recommended industry practice and standard of care for ammonia refrigeration systems of this size is to post signs warning of the presence of ammonia, restricting entry to authorized personnel, explaining the meaning of the alarms and the emergency shutdown process at each entrance to the Machinery Room, see, e.g., IIAR 2-2008 (2012 ed.), supra, §§ 13.1.2.4 (restricting entry to authorized personnel), 13.2.4.1 (meaning of alarms); App. L (summarizing signage and providing examples); ASHRAE

15-2010, supra, §§ 8.11.2.1 (meaning of alarms), 8.11.8 (restricting entry to authorized personnel), 11.2.4 (same), 11.7 (emergency shutdown procedures).

25. Accordingly, Respondent violated the requirement to minimize the consequences of any accidental release of anhydrous ammonia that does occur, as required under the General Duty Clause, Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), by failing to notify emergency responders about the presence and amount of ammonia on-site, provide information about its ammonia inventory to emergency response, develop and implement an emergency response plan, have adequate detector and alarm systems, and have proper emergency response signage.

ADMINISTRATIVE ORDER

26. It is hereby ordered that Respondent shall take the following actions:

(a) **As soon as possible, but no later than fourteen (14) days after the effective date of this Order**, Respondent shall:

(i) engage a third-party ammonia refrigeration system expert ("Refrigeration Expert") to help conduct the work required by this Order and Reporting Requirement, and

(ii) submit the Refrigeration Expert's resume and qualifications to EPA.

The Refrigeration Expert shall have experience conducting process hazard analyses under CAA Section 112(r), be very knowledgeable about the industry codes and standards that apply to ammonia refrigeration facilities, and have experience designing refrigeration systems to meet such codes and standards (or have access to someone who does have such design experience).

(b) **As soon as possible, but no later than 45 days after the effective date of this Order,** Respondent shall:

(i) Conduct and submit a process hazard analysis to correct the violation cited in Count I above. This process hazard analysis shall follow industry standards and guidance. It shall also include the Refrigeration Expert's recommendations for addressing hazards and a schedule for implementing those recommendations.

(ii) In accordance with industry standards and guidance, develop and implement an emergency response plan, install adequate detector and alarm systems, and install proper emergency response signage to correct the violations cited in Count II above.

27. Notice: Respondent shall submit all documents required by this order to:

Len Wallace
RCRA, EPCRA, and Federal Programs Unit (SER)
Office of Environmental Stewardship
EPA Region 1
Mailcode: OES05-1
5 Post Office Square, Suite 100
Boston, MA 02109-3912
(617) 918-1835

ENFORCEMENT

28. At any time after the issuance of this AO, EPA may take any or all of the following actions: issue a further order requiring compliance with the Act; issue an administrative penalty order for up to $37,500 per day for each violation; or bring a civil or criminal action seeking an injunction and penalties. See Sections 113(a)-(d) of the CAA, 42 U.S.C. §§ 7413(a)-(d); 40 C.F.R. Part 19; and 78 Fed. Reg. 66643-66648

(November 6, 2013) (CAA penalties raised from $25,000 to $32,500 for violations occurring between March 15, 2004 and January 12, 2009, and to $37,500 for violations occurring thereafter). Be advised that Section 113(e)(2) of the Act, 42 U.S.C. § 7413(e)(2), contains provisions that affect the burden of proof with respect to violations which continue following issuance of a Notice of Violation.

29. Be advised that issuance of this NOV/AO does not preclude EPA from electing to pursue any other remedies or sanctions authorized by law that are available to address these and other violations. This NOV/AO does not resolve Respondent's liability for past violations of the Act or for any violations that continue from the date of this NOV/ AO up to the date of compliance.

30. Neither EPA nor the United States, by the issuance of this NOV/AO, assumes any liability for any acts or omissions by Respondent or Respondent's employees, agents, contractors or consultants engaged to carry out any action or activity pursuant to this NOV/AO; nor shall EPA or the United States be held as a party to any contract entered into by Respondent or Respondent's employees, agents, contractors or consultants engaged to carry out the requirements of this NOV/AO.

EFFECTIVE DATE AND APPLICABILITY

31. The NOV/AO shall take effect **within fourteen days of receipt**. The AO shall apply to Respondent, its officers, agents, servants, employees, successors and assigns, and to all persons, firms and corporations acting under, through or for Respondents. This action is not subject to Office of Management and Budget review under the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

32. If Respondent has any questions regarding this NOV/AO, please contact Len Wallace at (617) 918-1835, or have your legal counsel contact Catherine Smith, Senior Enforcement Counsel, at (617) 918-1777. Respondent may seek federal judicial review of the AO pursuant to Section 307(b)(1) of the Clean Air Act, 42 U.S.C. § 7607(b)(1). Respondent may also request an opportunity to confer with EPA about this NOV/AO by contacting Len Wallace or Catherine Smith at the phone numbers listed above within seven (7) days of receiving this NOV/AO.

Susan Studlien

Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
Region 1 – New England

05/28/14
Date